

IC 13-23-2

Chapter 2. Local Ordinances

IC 13-23-2-1

Restrictions on enactment and enforcement of ordinances conflicting with article or rules

Sec. 1. A unit of local government may not enact or enforce an ordinance that is in conflict with any of the following:

- (1) This article.
- (2) Rules adopted by the fire prevention and building safety commission under this article.
- (3) Rules adopted by the board under this article.

As added by P.L.1-1996, SEC.13.

IC 13-23-2-2

Restrictions on enactment and enforcement of ordinances; exception

Sec. 2. A unit of local government may not enact or enforce an ordinance that requires:

- (1) a permit;
- (2) a license;
- (3) an approval;
- (4) an inspection; or
- (5) the payment of a fee or tax;

for the installation, use, retrofitting, closure, or removal of an underground storage tank unless the department has approved the ordinance or a proposed ordinance in writing.

As added by P.L.1-1996, SEC.13.

IC 13-23-2-3

Request for approval; time limitation on response

Sec. 3. If the department does not respond to a request from a unit of local government for approval of an ordinance or a proposed ordinance under section 2 of this chapter not later than ninety (90) days after the request is made, the unit may enact and enforce the ordinance as though the department had given written approval under section 2 of this chapter.

As added by P.L.1-1996, SEC.13.

IC 13-23-2-4

Agreement authorizing local government unit to perform activities

Sec. 4. The commissioner may enter into an agreement with a unit of local government under which the commissioner authorizes the unit of local government to perform activities designed to achieve compliance with this article.

As added by P.L.1-1996, SEC.13.